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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/608,645	06/30/2000	Brian M. Leitner	219.38119X00	9499

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EXAMINER
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CHOUDHARY, ANITA

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 09/30/2003

6

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/608,645	LEITNER ET AL.	
	<b>Examiner</b> Anita Choudhary	<b>Art Unit</b> 2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 30 June 2000.
- 2a) This action is **FINAL**.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-21 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 30 June 2000 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.<br>. | 6) <input type="checkbox"/> Other:   |

## DETAILED ACTION

Claims 1-21 are pending.

### *Priority*

No claim priority has been made in this application.

The effective filing date for the subject matter defined in the pending claims in the application is June 30, 2000.

### *Drawings*

This application lacks formal drawings. The informal drawings filed in this application (fig. 2 and 5) are acceptable for examination purposes. New corrected drawings are required in this application. Applicant is advised to employ the services of a competent patent draftsperson outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Muller et al (US 6,453,360).

In referring to claim 1 and 10, Muller shows a system for high performance network interface for receiving and transferring packets in conformance with a number of processing function to increase efficiently of packet handling. Muller shows:

- Request packet transmitted by the network interface (col. 53 lines 40-44, col. 54 lines 32-43).
- Writing the packet sequence number (flow number) of the request packet to a location in a circular send queue (col. 56 lines 51-65) pointed to by the write pointer (fig. 9 916) and setting a valid bit (912).
- Incrementing the write pointer if the packet is read request (col. 55 lines 39-41, col. 41 lines 51-63), or clearing a read indicator at the location in the queue if the packet is not a read request packet (col. 42 lines 1-15)
- For every response packet received by the network interface (col. 41 lines 22-29).
- Checking the packet sequence number (flow sequence number 522) of the response packet against the packet sequence number stored in at a location in the circular send queue point to by the read pointer of the circular send queue (col. 41 lines 56-col. 42 line 23).

In referring to claim 2 and 11, the packet is dropped if the valid bit at the location in the queue is not set (col. 106 lines 5-35).

In referring to claim 3 and 12, Muller shows a response packet is accepted if the valid bit (flow validity indicator 520) at the location in the queue pointed to is set and the packet sequence number (flow sequence number 522) of the response packet is equal to or less than the packet

sequence number written at the location and greater than the last acknowledged packet sequence number (col. 56 lines 42-55).

In referring to claim 4 and 13, Muller shows that if response packet is read response packet, it is accepted if he sequence number if equal to the packet sequence number written in the queue and the read indicator (SYN bit) is set (col. 42 lines 16-23).

In referring to claim 5 and 14, if the response packet is accepted, the valid bit (flow validity indicator, col. 44 lines 30-34) at the location in a queue is cleared and if the packet is a read response packet, the read pointer (506) is incremented (col. 43 lines 16-55).

In referring to claim 6 and 15, Muller show for every request packet received,

- If the request packet is a read request packet, then setting the read bit at the locating in the queue pointed to by the write pointer (502) and incrementing the write pointer (col. 43 lines 1-55).
- If the request packet is not a read request packet, then clearing the read bit at the location in the circular receive queue pointed to by the write pointer (col. 42 lines 24-35)
- Reading the packet sequence number (522) and the valid bit at a location pointed to by the read pointer of the queue (fig. 5 col. 41 lines 45-55).

In referring to claim 7 and 16, Muller shows a response packet is transmitted if the valid bit at the location pointed to is set (col. 43 lines 40-55).

In referring to claim 8 and 17, Muller shows a read response packet is transmitted if the read bit at the location is set (col. 41 lines 56-62).

In referring to claim 9 and 18, Muller shows the valid bit (520) at the location is cleared and if the response is a read response, the read pointer is incremented after the response packet is transmitted (col. 43 lines 53-55).

Claims 19-21 rejected under 35 U.S.C. 102(e) as being anticipated by Dobecki (US 6,611,879).

In referring to claim 19, Dobecki shows a network interface (fig. 7) comprising:

A transmitter (418)

A receiver (424)

A send queue context memory (312S, col. 17 lines 52-57).

A receive queue context memory (312R, col. 17 lines 52-58).

<sup>:428P</sup>  
A send queue engine (ME 315) connected to the send queue (312S) context memory and the transmitter and the receiver (col. 16 lines 40-63).

<sup>:428D</sup>  
A received queue engine (ME 315) connected to the received queue (312R) context memory and the transmitter and the receiver (col. 16 lines 40-63).

In referring to claim 20 and 21, the network interface further comprises of plurality of ports receiving data from a corresponding plurality of NGIO and further comprising a virtual interface architecture establishing communication with plurality of NGIO links (col. 9 lines 63-col. 10 line 5).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anita Choudhary whose telephone number is (703) 305-5268. The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (703) 305-4792. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

AC  
September 10, 2003



GLENTON B. BURGESS  
SUPERVISORY PATENT EXAMINER  
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